

mittee on State Affairs, offering as a substitute therefor a bill prohibiting the Commissioner of the General Land Office issuing patents to the Texan Emigration and Land company, for lands lying in Peters' Colony; read, and substitute adopted.

Mr. Whitaker, from the committee on Engrossed Bills, reported the following bills correctly engrossed :

A bill to incorporate the Trinity River and Galveston Bay Dredging company; and

A bill for the relief of the citizens of Mercer's Colony.

Mr. Guinn, from said committee, reported as correctly engrossed a bill to have the laws, civil and criminal, amended, supplied, revised; digested and arranged.

On motion of Mr. Whitaker, the Senate adjourned until 9 o'clock to-morrow morning.

WEDNESDAY, February 8, 1854.

The Senate met pursuant to adjournment—prayer by the Chaplain—roll called—quorum present.

The Journal of yesterday was read and adopted.

Mr. Bryan, from the committee on Enrolled Bills, reported as correctly enrolled and signed the following bills, and that they were this day submitted to the Governor for his signature :

Joint resolution to fix the *per diem* pay of the officers of the two Houses of the Legislature;

A bill to authorise the cancellation of patents in certain cases; and

A bill supplementary to an act concerning crimes and punishments, approved March 20th, A. D. 1848.

Mr. Paschal presented the memorial of E. M. Anderson, sheriff of Cameron county, asking for relief; laid on the table.

Mr. Lott offered the following resolution:

Resolved, That the Porter be allowed one dollar for each and every day's service, to be paid out of the contingent fund. Adopted.

Mr. Bryan introduced a joint resolution, instructing the Senators and requesting the Representatives of Texas in Congress to urge upon Congress the adjustment of the indemnity due the

late Republic of Texas, for expenses incurred by her in defence against certain Indian tribes belonging to the United States; read first time.

On motion of Mr. Keenan, rule suspended, bill read second time and ordered to be engrossed.

On motion of Mr. Keenan, rule further suspended, bill read third time and passed.

Mr. Paschal introduced a bill for the relief of John James; read first time.

On motion of Mr. Paschal, rule suspended, bill read second time and ordered to be engrossed.

On motion of Mr. Paschal, rule further suspended, bill read third time and passed.

Mr. Potter introduced a bill for the relief of Charles Stewart, Jr.; read first time.

On motion of Mr. Holland, rule suspended, and bill read second time.

On motion of Mr. Holland, the bill was amended, by inserting "Henry Hall, Jr." after "Stewart, Jr.," wherever the same occurs in the bill.

The bill was then ordered to be engrossed.

On motion of Mr. Holland, rule further suspended, bill read third time and passed.

ORDERS OF THE DAY.

A bill prohibiting the Commissioner of the General Land Office issuing patents to the Texan Emigration and Land company, for lands lying in Peters' Colony, with a motion pending to lay the same on the table, taken up, and said motion carried by the following vote:

YEAS.—Messrs. Allen, Bryan, Doane, Hill, Keenan, Lott, McAnelly, McDade, Paschal, Potter, Scarborough and Superviele—12.

NAYS.—Messrs. Gage, Guinn, Holland, Jowers, Kyle, Martin, Newman, Scott, Taylor, Weatherford and Whitaker—11.

Joint resolution for the relief of John J. Linn; read third time.

On motion of Mr. Bryan, "date" was stricken out of the last line of the first section.

On motion of Mr. Jowers, the preamble was stricken out.

The bill then passed by the following vote:

YEAS.—Messrs. Bryan, Doane, Hill, Keenan, Lott, McAnelly,

McDade, Newman, Paschal, Potter, Scarborough Scott and Superviele—13.

NAYS—Messrs. Allen, Guinn, Holland, Jowers, Kyle, Martin, Taylor, Weatherford and Whitaker—9.

Mr. Scott, chairman of the committee on Finance, by leave, made the following report :

The Finance committee, to whom was referred a bill for the relief of E. M. Anderson, sheriff of Cameron county, have had the same under consideration, and find that said sheriff claims over one thousand dollars for conveying six convicts from Cameron county to the penitentiary, and that he has received from the superintendent of the penitentiary the approval of his account to the amount of \$566. A majority of said committee have instructed me to report the same back, and ask to be discharged from the further consideration of the same.

Mr. Whitaker presented the petition of William M. Walker, assignee of Wm. B. Reed, for relief; referred to the committee on Private Land Claims.

On motion of Mr. Potter, the motion of Mr. Jowers to reconsider the vote rejecting a bill authorising and requiring the Auditor and Comptroller to audit the claim of Jackson McFarland and James McFarland, was taken up, said vote reconsidered, and bill passed to a third reading.

On motion of Mr. Jowers, rule suspended, bill read third time and passed.

A bill to authorise railroad and other incorporated companies to transfer land certificates; read third time.

Mr. Kyle offered as a substitute therefor a bill to authorise the Buffalo Bayou, Brazos and Colorado Railroad company to assign land certificates.

Adopted and bill passed.

Joint resolution for the relief of Annette E. Osborne; read third time.

On motion of Mr. Keenan, the bill was amended by striking out the words, "and donated," in the first section.

The bill then passed by the following vote :

YEAS—Messrs. Allen, Bryan, Doane, Durst, Hill, Holland, Keenan, Lott, Martin, McAnelly, McDade, Paschal, Potter, Scarborough, Superviele and Taylor—16.

NAYS—Messrs. Guinn, Kyle, Newman, Scott, Weatherford and Whitaker—7.

Joint resolution granting Stephen Crosby, Commissioner of

the General Land Office, leave of absence from the State; read first time.

On motion of Mr. Hill, rule suspended, bill read second time and passed to a third reading.

On motion of Mr. Hill, rule further suspended, bill read third time and passed.

A message was received from the House, informing the Senate that the House had passed the following bills originating in that body:

A bill supplementary to an act to perfect land titles in Castro's Colony, approved January 22, 1850;

A bill to incorporate Stinson's Ferry and Turnpike company;

A bill to incorporate Newbern Academy;

A bill for the relief of certain persons therein named;

A bill to change the name of John Gideon Slade, to that of John Gideon Bell;

And a bill to change the 5th section of an act creating the county of Tarrant, approved 20th December, 1849;

Also, the following bills originating in the Senate:

A bill to incorporate the Milam Masonic Institute;

A bill to incorporate the Trinity River and Galveston Bay Dredging company;

And a bill to incorporate the McKenzie Institute, in Red River county, with amendments.

A bill to provide for change of venue of cases which the district judges may be disqualified from trying; read first time.

On motion of Mr. Potter, rule suspended, bill read second time.

Mr. Potter offered the following amendment:

After the word "case," in first section, insert the words, "pending before him." Adopted.

Mr. Hill offered the following amendment:

In same section, strike out the words "practicing attorney," and insert the following words, to wit: "Any party, or his attorney interested in the cause." Adopted.

The bill then passed to a third reading.

On motion of Mr. Potter, rule further suspended, bill read third time and passed.

Mr. Whitaker, from the committee on Engrossed Bills, reported as correctly engrossed a bill for the relief of John James.

A bill authorising patents to be issued in certain cases decided by the district court; read, and passed to a third reading.

On motion of Mr. Whitaker, rule suspended, read third time and passed.

A bill to incorporate Stinson's Ferry Turnpike company; read first time.

On motion of Mr. Taylor, rule suspended, read second time, and passed to a third reading.

On motion of Mr. Scott, rule further suspended, read third time and passed by the following vote :

YEAS—Messrs. Allen, Dirst, Guinn, Hill, Holland, Jowers, Keenan, Kyle, Lott, Martin, McAnelly, McDade, Newman, Paschal, Potter, Scarborough, Scott, Superviele, Taylor, Weatherford and Whitaker—21.

NAYS—Mr. Bryan—1.

The Senate concurred in the amendment of the House to a bill confirming titles to the colonists of Peters' Colony, and to a bill to incorporate McKenzie Institute, in Red River county.

A bill to change the name of John Gideon Slade to that of John Gideon Bell; read first time.

On motion of Mr. Hill, rule suspended, bill read second time and passed to a third reading.

On motion of Mr. Hill, rule further suspended, bill read third time and passed.

On motion of Mr. Jowers, a bill providing for the settlement of decedent's estates, taken up and read first time.

On motion of Mr. Holland, rule suspended, bill read second time and referred to the committee on the Judiciary.

A bill supplemental to an act to perfect land titles in Castro's Colony, approved January 22d 1850; read first time.

On motion of Mr. Superviele, rule suspended, read second time and passed to a third reading.

On motion of Mr. Keenan, rule further suspended, read third time and passed.

Mr. Whitaker, from the committee on Engrossed Bills, reported as correctly engrossed a bill to authorise the Buffalo Bayou, Brazos and Colorado Railroad company to assign land certificates.

A bill to change the 5th section of an act creating the county of Tarrant, approved 20th December, 1849; read first time.

On motion of Mr. Weatherford, rule suspended, read second time and passed to a third reading.

On motion of Mr. Weatherford, rule further suspended, bill read third time and passed.

A bill for the relief of certain persons therein named; read first time.

On motion of Mr. Bryan, rule suspended, bill read second time.

Mr. Bryan offered the following amendment :

That the Commissioner of the General Land Office be, and he is hereby authorised and required to issue to the persons herein named certificates for land for the amounts attached to their names, to-wit :

To James L. Dallas, 320 acres ;
 To Jesse L. McCrocklin, 177 acres ;
 To Wm. H. Scott, one-third of a league of land ;
 Sarah Ursery, one league and labor of land ;
 Mary A. Freeman, 640 acres ;
 Margaret Kennedy, one league and labor ;
 Heirs of Diego Perez, one league and labor ;
 James E. Black, 640 acres ;
 William Sellers, 320 acres ;
 John W. Clark, 640 acres ;
 B. F. Bradford, one-third of a league ;
 Samuel Vessey, 640 acres ;
 Heirs of William R. Dickinson, one-quarter of a league ;
 Earl Pearce, 1280 acres ;
 Horatio Pearce, 640 acres ;
 Heirs of Elisha Abel, 640 acres ;
 Heirs of William B. Miles, 320 acres ;
 Jesse Walling, one league and labor ;
 A. J. Walker, one-third of a league ;
 Mary Cheneworth, 640 acres ;
 William Dunlap, 320 acres ;
 Heirs of John Short, one league and labor ;
 John Work, one league and labor ;
 A. T. Burnley, one league and labor ;
 John Walker, 640 acres as donation land for being in the battle on San Jacinto ; also, to the said Walker bounty certificate for 320 acres ;
 Mary Laseter, one league and labor ;
 W. C. Anderson, 640 acres ;
 Daniel Parker, Jr., one-third of a league ;
 William Burkett, 320 acres ;
 Heirs of James H. West, one-third of a league ;
 John H. King, 320 acres ;
 C. K. Perry, 640 acres ;
 John Dobbins, 320 acres ;
 Money Weatherford, 640 acres ;

John Hagerty, two certificates for 640 acres each in lieu of the same amount of land scrip destroyed by fire ;

Mary L. Austin, 640 acres ;

James Rust, 320 acres ;

Martin S. Stith, 640 acres ;

Heirs of James D. Jennings, one-third of a league ;

Juliana Herrera, one league and labor ;

Hugh McLeod, 640 acres ;

Cornelius Delgado, one league and labor ;

George R. Billips, 640 acres ;

John Fisher, 640 acres ;

Abel L. Eaves, two-thirds of a league and one labor ;

Nicholas Benevides, three-fourths of a league ;

Bridget Faddler & Mary Arroach one league and one labor ;

William Ruple, one-third of a league, in lieu of certificate No. 1065, issued by the board of land commissioners of Harrisburgh county, which appears of record.

Adopted by the following vote :

YEAS—Messrs. Bryan, Doane, Durst, Gage, Hill, Jowers, Keenan, Martin, McAnelly, McDade, Scarborough and Superviele—12.

NAYS—Messrs. Guinn, Holland, Kyle, Lott, Newman, Paschal, Scott, Taylor, Weatherford and Whitaker—10.

Mr. Lott offered the following amendment : "640 acres for John Moody." Rejected.

Mr. Whitaker offered the following amendment : "The heirs of Reuben McKenzie, for one league and labor." Rejected.

Mr. Taylor offered the following amendment : "To James Davis, assignee of Charlotte Seceast, a patent for 640 acres of land, upon the return to the General Land Office of the field-notes certified according to law of a survey made by virtue of unconditional certificate No. 45, second class, issued by the board of land commissioners of Polk county, to said Charlotte Seceast, by virtue of conditional certificate, No. 155, second class, issued by the board of land commissioners of Liberty county." Rejected.

On motion of Mr. Lott, the word "assignee" was stricken out of the bill wherever it occurs by the following vote :

YEAS—Messrs. Allen, Bryan, Guinn, Holland, Jowers, Kyle, Lott, Martin, McAnelly, Newman, Paschal, Potter, Scott, Superviele, Taylor, Weatherford and Whitaker—17.

NAYS—Messrs. Doane, Durst, Gage, Hill, Keenan, McDade and Scarborough—7.

Mr. Kyle offered the following amendment to the bill: "To John H. D. Upham, David Upham and Sarah E. Upham, a certificate for 320 acres of land each." Rejected.

Mr. Bryan moved the previous question.

A message was received from the House, informing the Senate that the House had passed a joint resolution originating in the Senate for the relief of McKinney & Williams.

On motion of Mr. Taylor, the Senate adjourned until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

Senate met—roll called—quorum present.

A bill for the relief of certain persons therein named, with a motion pending for the previous question, being under consideration when the Senate adjourned, taken up, previous question ordered, and bill passed to a third reading by the following vote:

YEAS.—Messrs. Allen, Bryan, Doane, Durst, Hill, Keenan, McAnelly, McDade, Newman, Paschal, Potter, Scarborough and Superviele—13.

NAYS.—Messrs. Gage, Guinn, Holland, Jowers, Kyle, Lott, Martin, Scott, Taylor, Weatherford and Whitaker—11.

On motion of Mr. Paschal, rule further suspended, bill read third time and passed.

The following communication was read.

LAVACA, Jan. 30th, 1854.

To the Hon. D. C. DICKSON,

President of the Senate:

SIR: Permit me to tender my resignation of the office of Senator from the district composed of the counties of Victoria, Calhoun, Jackson, Lavaca, DeWitt and Goliad. I am impelled to this by the feebleness of my health and my inability, consequent therefrom, to perform the duties devolving upon me. Only an earnest wish to serve, in some degree, those who have so kindly placed me in that position, has prevented me from taking this step at an earlier day.

Most respectfully, your ob't serv't,

JAMES T. LYTTLE.

Mr. Paschal called up a bill for the relief of William B. Jaques; read first time.

On motion of Mr. Paschal, rule suspended, read second time, and passed to a third reading.

On motion of Mr. Keenan, rule further suspended, bill read third time and passed.

Mr. Hill called up a bill to incorporate the Texas Steamship company, with an amendment offered by the committee on Internal Improvements; read.

On motion of Mr. Allen, said amendment was laid on the table.

Mr. Lott moved to lay the bill on the table; lost.

On motion of Mr. Allen, "perpetual" was stricken out of the first section.

On motion of Mr. Allen, the 3d and 5th sections were stricken out.

Mr. Potter offered the following amendment to come in at the end of the 4th section: "And this act shall continue in force for the period of ten years, and no longer." Adopted.

Mr. Potter offered the following amendment, to come in at the end of the first section:

"And the company shall at all times keep an office at such suitable place in this State as may be selected by a majority of the directors; and an agent, or officer of the company, on whom all legal process and notices against the company may be served."

Adopted, and bill ordered to be engrossed.

On motion of Mr. Allen, rule suspended, bill read third time and passed by the following vote:

YEAS.—Messrs. Allen, Bryan, Doane, Durst, Gage, Hill, Holland, Keenan, Kyle, Martin, McDade, Paschal, Scarborough, Superviele, Taylor and Weatherford—16.

NAYS.—Messrs. Guinn, Lott, Newman, Potter, Scott and Whitaker—6.

Mr. Holland introduced a bill for the relief of James D. Campbell and Richard L. Hightower; read first time.

On motion of Mr. Holland, rule suspended, read second time and ordered to be engrossed.

On motion of Mr. Holland, rule further suspended, bill read third time and passed.

Mr. Scarborough called up a bill for the relief of E. M. Anderson, sheriff of Cameron county; read, and ordered to be engrossed by the following vote:

YEAS.—Messrs. Doane, Durst, Holland, Jowers, Keenan, Kyle, Martin, Paschal, Potter, Scarborough, Superviele and Taylor—12.

NAYS.—Messrs. Allen, Bryan, Gage, Guinn, Hill, Lott, McDade, Newman, Scott, Weatherford and Whitaker—10.

On motion of Mr. Scarborough, rule suspended, bill read third time and passed.

On motion of Mr. Martin, Messrs. Potter and Newman were added to the committee on Enrolled Bills.

Mr. Jowers called up a bill granting Pelican Island in Galveston Bay to the corporation of the city of Galveston; read, and ordered to be engrossed.

On motion of Mr. Potter, rule suspended, bill read third time and passed.

Mr. Guinn moved that the Senate adjourn until 9 o'clock, to-morrow morning; lost.

Mr. Martin moved to adjourn until 7 o'clock, P. M.; lost.

Mr. Guinn moved that the Senate adjourn until half-past 9 o'clock to-morrow morning; lost.

Mr. Jowers moved to adjourn until 10 o'clock to-morrow morning; lost.

On motion of Mr. Martin, the Senate adjourned until 9 o'clock, P. M.

EIGHT O'CLOCK, P. M.

Senate met—roll called—a quorum not being present, on motion of Mr. Jowers, the Senate adjourned until 9 o'clock to-morrow morning.

THURSDAY, February 9, 1854.

Senate met pursuant to adjournment—prayer by the Chaplain—roll called—quorum present.

The Journal of yesterday was read and adopted.

On motion of Mr. Bryan, a committee was appointed to inform the House that the Senate had disposed of all the bills reported from said body, and to request the House to take up and dispose of the Senate's bills, particularly those of a general character.

Messrs. Bryan, Kyle and Whitaker were appointed said committee.

On motion of Mr. Keenan, the Senate proceeded to elect a President, *pro tem*.